

D3
CMT 7. (Amended) A modified animal produced according to the method of any one of claims 2, 3, 4, [or] 5 or 12.

D4 9. (Amended) The stem cells of claim 8 which are [murine] of a mouse.

Please add the following claim.

Rule 26
10 D5 13
12. A method according to any of claims 1, 2 or 3, wherein said xenogeneic DNA comprises a portion of an immunoglobulin heavy-chain locus containing V, D, J and constant region sequences or comprises a portion of an unrearranged light-chain locus containing variable, J and constant region sequence.

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REMARKS

Applicants have amended the specification to set forth a priority claim under 35 U.S.C. § 120 to earlier filed applications.

20 Applicants have amended claims 1-3, 5-7 and 9 to improve their form and to more particularly define what applicants regard as their invention. The claims, as amended, make it clear that the xenogeneic DNA segment is a nonyeast DNA segment which must be stably integrated into the genome of
25 the ES cell. Support for this amendment may be found in claims 2, 3 and 5 as originally filed. Claim 5 has been amended to improve its form. Claims 6, 7 and 9 have been amended to refer to new claim 12. Claim 12 recites a method for modifying an ES cell or obtaining a non-human animal
30 having in its genome a portion of a xenogeneic immunoglobulin locus. Support for this claim may be found in the specification at page 10, lines 24-26, page 11, line 17 and

line 26 to page 12, line 23, page 14, lines 16-32, pages 56-61
(Example VIA), and in claim 5 as originally filed.

None of these amendments adds new matter.

Applicants request entry of the amendments and allowance of
the pending claims.

Statement Under 37 C.F.R. §§ 1.56 and 1.97

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, applicants
make of record the documents listed on the enclosed Forms PTO-
1449. Copies of those documents were submitted in connection
with United States application 08/112,848, filed August 27,
1993, from which this application claims priority under 35
U.S.C. § 120. However, applicants stand ready to provide
additional copies of the listed documents upon the request of
the Examiner.

Applicants request that the cited documents be (1)
fully considered by the Examiner during the course of
examination of this application, and (2) printed on any patent
issuing from this application.

Respectfully submitted,



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